IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9114 of 2005

Between:

Gyanoba, S/o. Peeraiah,
Shelgira Village, Manoor Mandal, Medak District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Sangareddy Division, Sangareddy, Medak District.
2 The Mandal Revenue Officer, Manoor Mandal, Manoor, Medak District.
3 The Joint Collector (CS), Medak District, At Sangareddy, Medak District.
4 The District Collector, Medak District, At Sangareddy

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in issuing roc No. B2/1675/2004 dated 14-2-2005 canceling the authorization of the petitioner as illegal, void and not sustainable in the eyes of law and consequently set aside the same and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.S.R.DESHMUKH

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, the petitioner is seeking a writ of Mandamus, declaring the action of the first respondent in issuing the impugned proceedings dated 14.2.2005 canceling the authorization of the petitioner as illegal and void.

Brief facts of the case are that the petitioner was appointed as Fair Price Shop Dealer of Shelgira village, Manoor Mandal, Medak District by the first respondent, vide authorization No. B2/1108/2004 dated 15.6.2004 and his authorization is valid up to 31.3.2006. while so, the first respondent issued a show cause notice dated 24.7.2004 on the basis of the report of the second respondent. Subsequently, the first respondent cancelled the authorization of the petitioner vide proceedings dated 14.2.2005. Aggrieved by the same, the petitioner preferred an appeal before the third respondent and the same was admitted and refused to grant interim stay. Aggrieved by the same the petitioner filed a revision before the fourth respondent and the same is still pending. Hence, the petitioner has come up with the present Writ petition.

The learned counsel appearing for the petitioner submits that the first respondent committed irregularities in not affording any opportunity of personal hearing and the charges leveled against the petitioner are only imaginary and contrary to the records.

Having regard to the facts and circumstances, without going into the merits of the case, as the petitioner is out of job from 14.2.2005, I deem it appropriate to direct

the fourth respondent- the District Collector, Medak District at Sangareddy, to dispose of the revision filed by the petitioner in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. As seen form the impugned order, no alternative arrangement is made by the authorities and the petitioner is distributing the essential commodities as on today, I deem it appropriate that the petitioner shall be continued till the disposal of the revision petition pending before the fourth respondent.

Accordingly, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 25.04.2005

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To

1 The Revenue Divisional Officer, Sangareddy Division, Sangareddy, Medak District.
2 The Mandal Revenue Officer, Manoor Mandal, Manoor, Medak District.
3 The Joint Collector (CS), Medak District, At Sangareddy, Medak District.
4 The District Collector, Medak District, At Sangareddy.

5. Two CCs to G.P.for Civil Supplies, High Court of A.P., Hyderabad (OUT)

6. Two CD copies.